

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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In Re: Methyl Tertiary Butyl Ether ("MTBE")
Products Liability Litigation

Master File No. 1:00-1898
MDL 1358 (SAS)
M21-88
ECF Case

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This document relates to the following case:

City of New York, et. al. v. Amerada Hess Corp., et al.
Case No. 04 Civ. 3417

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**FIFTH SUPPLEMENT TO PLAINTIFFS' PHASE III TRIAL
EXHIBIT LIST**

Plaintiffs filed their Phase III exhibit list on June 26, 2009. *See* No. 1:04-CV-3417, Dkt. # 328 (S.D.N.Y. Jun. 26, 2009). In doing so, Plaintiffs expressly reserved the right to supplement or amend its exhibits. *See* Exhibit List. Accordingly, Plaintiffs hereby notify ExxonMobil that in addition to the exhibits on the Exhibit List, Plaintiffs will add the following Exhibits:

EXHIBIT NO.	DATE	DESCRIPTION	BEG. BATES	END BATES
PL -5525	09/13/2009	TABLE: Prime Supplier & Exxon's 782a & 782c data compared to Montgomery's analysis	N/A	N/A
PL-5526	2004	Act of the General Assembly of Vermont No. 26: An Act Relating to Prohibiting the Sale and Storage of Fuel Products Containing the Additive MTBE	N/A	N/A

EXHIBIT NO.	DATE	DESCRIPTION	BEG. BATES	END BATES
PL – 5527	1999	EXECUTIVE ORDER D-5-99 by the Governor of the State of California	N/A	N/A
PL – 5528	2000	Colorado Senate Bill 00-190: AN ACT CONCERNING METHYL TERTIARY BUTYL ETHER. Chapter 183, Health and Environment	N/A	N/A
PL – 5529	2002	Act of the General Assembly of the Commonwealth of Kentucky: AN ACT Relating to MTBE and Ethanol	N/A	N/A
PL – 5530	12/19/2008	Expert Report of Martin R. Tallett	N/A	N/A
PL-5531	02/06/2009	Expert Rebuttal Report of Martin R. Tallett	N/A	N/A
PL-5532	03/16/2009	Expert Market Share Report of Martin R. Tallett	N/A	N/A
PL-5533	05/27/2009	Declaration of Martin R. Tallett in Opposition to Defendant Exxon Mobil Corporation's motion to Exclude Testimony and opinion of Martin R. Tallett	N/A	N/A
PL-5534	12/19/2008	Expert Report of W. Ed Whitelaw, Ph.D.	N/A	N/A
PL-5535	02/06/2009	Expert Rebuttal Report of W. Ed Whitelaw, Ph.D.	N/A	N/A

EXHIBIT NO.	DATE	DESCRIPTION	BEG. BATES	END BATES
PL-5536	03/27/2009	Supplemental Expert Report of W. Ed Whitelaw	N/A	N/A
PL-5537	N/A	ABSTRACT FROM: Defendant ExxonMobil's Declaration in Response to Case Management Order No. 4	N/A	N/A
PL-5538	N/A	ABSTRACT FROM: Defendant ExxonMobil's Declaration on Behalf of the Former Mobil Corporation in Response to Case Management Order No. 4	N/A	N/A

Dated: New York, New York
September 13, 2009

MICHAEL A. CARDOZO
Corporation Counsel of the City of New York
100 Church Street
New York, New York 10007
(212) 788-1578

/s/ NICHOLAS G. CAMPINS
VICTOR M. SHER (*pro hac vice*)
TODD E. ROBINS (*pro hac vice*)
JOSHUA G. STEIN (*pro hac vice*)
NICHOLAS G. CAMPINS (*pro hac vice*)
MARNIE E. RIDDLE (*pro hac vice*)

SHER LEFF LLP
450 Mission Street, Suite 400
San Francisco, CA 94105
(415) 348-8300

Attorneys for Plaintiffs